

AN ORDINANCE

98918

AUTHORIZING THE EXECUTION OF A FIVE (5) YEAR LICENSE AGREEMENT WITH THE PASEO DEL RIO ASSOCIATION, INC. FOR THE USE OF A PORTION OF THE CITY'S RIVER WALK FOR SPECIAL EVENTS TO PROMOTE THE RIVER WALK AND FOR MANAGEMENT OF NOVELTY VENDORS ON THE RIVER WALK FOR A FLAT RATE LICENSE FEE BEGINNING AT \$20,000.00 PER YEAR FOR THE FIRST YEAR AND TWO PERCENT INCREASES EACH SUCCEEDING YEAR OF THE AGREEMENT; AND AMENDING SECTION 35-679(E) OF THE CITY CODE TO ALLOW FOR STATIONARY RIVER WALK NOVELTY VENDORS UNDER A LICENSING PROGRAM TO BE ADMINISTERED THROUGH THE PASEO DEL RIO ASSOCIATION.

\* \* \* \* \*

**WHEREAS**, since 1969, the Paseo Del Rio Association, Inc. (PDRA), a Texas 501(c)4 non-profit trade corporation, has utilized public space on the River Walk for special events designed to promote the River Walk as a tourist and resident destination; and

**WHEREAS**, most recently, Ordinance No. 88603, passed and approved on October 8, 1998, authorized a License Agreement with the PDRA for the River Walk Special Events on the River Walk for the period August 1, 1998 through July 31, 2003, now continued on a month-to-month basis; and

**WHEREAS**, the PDRA uses the income from this concession to support its many activities promoting the River Walk, including the annual lighting of the Downtown river at Christmas; and

**WHEREAS**, the PDRA has requested a renewal of this agreement for an additional four years and three month period; and

**WHEREAS**, the new agreement specifies that PDRA will manage and administer permits to novelty vendors on the River Walk; and

**WHEREAS**, the City staff has determined that it is in the best interest of the City of San Antonio to enter into said agreement; **NOW THEREFORE:**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:**

**Section 1.** The City Manager or her designee is hereby authorized to sign a License Agreement between the City of San Antonio and the Paseo Del Rio Association, Inc. for use of public property on the River Walk for special events promoting the River Walk as a tourist and resident

destination and to manage and administer permits to novelty vendors on the River Walk. A copy of said agreement, in substantially correct form is attached hereto and incorporated herein as Attachment I.

**Section 2.** Section 35-679(e) of the City Code is hereby revised to read as follows:

Unless specifically allowed by lease with the City of San Antonio, or by valid permit issued by the Paseo del Rio Association, it shall be unlawful to: solicit alms and donations; distribute commercial and business advertising matter; and hawk, sell, or vend merchandise on public property or on the public right-of-way of the River Walk area, or outdoors on private property that is at River level and is within view of the River Walk public right-of-way.

**Section 3.** All concession payments received from the License Agreement for special events on the River Walk shall be deposited into the City's General Fund into Revenue Index No. 015859.

**Section 4.** This ordinance shall become effective on March 14, 2004.

PASSED AND APPROVED this 4<sup>th</sup> day of March, 2004.

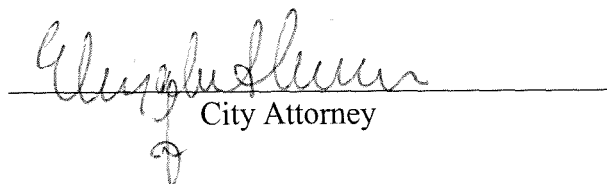


M A Y O R  
EDWARD D. GARZA

ATTEST:

  
City Clerk

APPROVED AS TO FORM:

  
City Attorney